

## **FINAL CORRECTED VERSION**

### **North Pacific Fishery Management Council Action on Halibut Subsistence Issues October 7, 2000**

Adopt an alternative to allow the harvest of halibut for subsistence with the following options:

#### **Option 1: Define subsistence.**

Halibut subsistence regulations are needed to allow the continued practice of long-term customary and traditional practices of fishing halibut for food for families in a non-commercial manner for non-economic consumption. Subsistence is defined as the 'non-commercial, long-term, customary and traditional use of halibut.'

#### **Option 2: Define eligibility.**

Suboption B: Persons eligible to subsistence fish for halibut are: Alaska rural residents as defined in ANILCA\* and identified in the table 5.4 entitled "Alaska Rural Places in Areas with Subsistence Halibut Uses," and will also include other communities for which customary and traditional findings are developed in the future. The list specifically includes the communities of Adak, Diomedes, and Shishmaref. This list of eligible rural communities can only be changed by Council action. The Council urges communities seeking eligibility to subsistence fish for halibut to pursue a 'customary and traditional' finding from the appropriate bodies before petitioning the Council.

Other persons eligible to subsistence fish for halibut are:

1. All identified members of Alaska Federally recognized native tribes in rural areas with a finding of customary and traditional use of halibut who move to or have moved to an urban area are allowed to return to their area of tribal membership and exercise their subsistence rights for halibut fishing.
2. All members of Alaska Federally recognized native tribes with a finding of customary and traditional use of halibut that live in an area that has become or in the future becomes urban shall be allowed to exercise their halibut subsistence rights anywhere in a designated rural area within the state of Alaska.

\*Under federal law in ANILCA, subsistence uses are identified as customary and traditional uses of fish and game by rural Alaska residents.

#### **Option 3: Define legal gear.**

Suboptions A and B. The legal gear for subsistence halibut fishing is set and hand-held gear of not more than 30 hooks, including longline, handline, rod and reel, spear, jigging and hand-troll gear.

Suboption D. Retention of subsistence halibut less than 32" (shorts) while commercial fishing is allowed only in Regulatory Area 4E (and Savoonga and Gambell). Retention of halibut greater than 32" while commercial fishing is allowed statewide, with retentions reported and counted against an IFQ.

**Option 4: Allow the customary and traditional trade of subsistence halibut.**

Suboption A. Customary and traditional trade through monetary exchange shall be limited to an annual maximum of \$400. No customary and traditional trade is allowed upon the premises of commercial buying operations. Persons licensed to engage in a fisheries business may not exchange, solicit to exchange, or receive for commercial purposes, subsistence-taken halibut. No exchange of subsistence-caught halibut from a monetary exchange, trade, or barter is allowed to enter commerce at any point.

Suboption B. Customary and traditional trade through non-monetary exchange is allowed with anyone.

**Option 5: Define a daily bag limit.**

The daily limit for subsistence halibut in rural areas is up to 20 halibut, except there is no limit in 4C and 4E (including Savoonga and Gambell).

**Option 6:** Cooperative agreements with tribal, State, and Federal governments and other entities may be developed for harvest monitoring, local area planning, and other issues affecting subsistence uses of halibut.

The North Pacific Fishery Management Council (Council) requests the Alaska Board of Fisheries (Board) to recommend potential regulatory options in subsistence halibut regulations relating to:

1. Legal gear;
2. Daily limits;
3. Reporting requirements;
4. Customary and traditional use areas of tribes and rural communities; and
5. Non-rural area definitions for halibut fishing areas.

The Council requests that the Board meet on this issue during their normal 2000-2001 cycle and present its recommendations to the Council at the Council's June 2001 meeting.

**Table 5.4 (Revised). Alaska Rural Places in Areas with Subsistence Halibut Uses**

Sources: Alaska Department of Fish and Game; Alaska Department of Labor

							Use Pattern
Rural Place*	Organized Entity	Population	Percent Alaska	Number Alaska	Number Non-	Halibut	1 = regular
		(1995)	Native	Natives	Natives	Coastal	2 = periodic
District 2C							
Angoon	Municipality	601	82.3%	495	106	2C	1
Coffman Cove	Municipality	254	6.9%	18	236	2C	1
Craig	Municipality	1,946	22.9%	446	1,500	2C	1
Edna Bay	Census Designated Place	79	0.0%	0	79	2C	1
Elfin Cove	Census Designated Place	48	1.8%	1	47	2C	1
Gustavus	Census Designated Place	328	3.9%	13	315	2C	1
Haines	Municipality	1,363	18.1%	247	1,116	2C	1
Hollis	Census Designated Place	106	2.7%	3	103	2C	1
Hoonah	Municipality	903	67.2%	607	296	2C	1
Hydaburg	Municipality	406	89.1%	362	44	2C	1
Hyder	Census Designated Place	138	1.0%	1	137	2C	1
Kake	Municipality	696	73.4%	511	185	2C	1
Kasaan	Municipality	41	53.7%	22	19	2C	1
Klawock	Municipality	759	54.3%	412	347	2C	1
Klukwan	Census Designated Place	165	86.8%	143	22	2C	1
Metlakatla	Census Designated Place	1,540	82.9%	1,277	263	2C	1
Meyers Chuck	Census Designated Place	35	10.8%	4	31	2C	1
Pelican	Municipality	209	29.3%	61	148	2C	1
Petersburg	Municipality	3,374	10.1%	341	3,033	2C	1
Point Baker	Census Designated Place	62	0.0%	0	62	2C	1
Port Alexander	Municipality	98	2.5%	2	96	2C	1
Port Protection	Census Designated Place	64	1.6%	1	63	2C	1
Saxman	Municipality	394	76.9%	303	91	2C	1
Sitka	Municipality	9,194	20.9%	1,922	7,272	2C	1
Skagway	Municipality	811	5.5%	45	766	2C	1
Tenakee Springs	Municipality	107	9.6%	10	97	2C	1
Thorne Bay	Municipality	650	1.2%	8	642	2C	1
Whale Pass	Census Designated Place	92	2.7%	2	90	2C	1
Wrangell	Municipality	2,758	20.0%	552	2,206	2C	1
District 2C Communities		27,221	28.7%	7,806	19,415		
District 3A							
Akhiok	Municipality	80	93.5%	75	5	3A	1
Chenega Bay	Census Designated Place	96	69.2%	66	30	3A	1
Cordova	Municipality	2,568	11.2%	288	2,280	3A	1
Karluk	Census Designated Place	58	91.5%	53	5	3A	1
Kodiak City	Municipality	13,498	10.7%	1,443	12,055	3A	1
Larsen Bay	Municipality	130	84.4%	110	20	3A	1
Nanwalek	Census Designated Place	162	91.1%	148	14	3A	1
Old Harbor	Municipality	310	88.7%	275	35	3A	1
Ouzinkie	Municipality	259	85.2%	221	38	3A	1
Port Graham	Census Designated Place	170	90.4%	154	16	3A	1
Port Lions	Municipality	233	67.6%	158	75	3A	1
Seldovia	Municipality	289	15.2%	44	245	3A	1
Tatitlek	Census Designated Place	124	86.6%	107	17	3A	1
Yakutat	Municipality	801	55.1%	441	360	3A	1
District 3A Communities		18,778	19.1%	3,582	15,196		
District 3B							
Chignik Bay	Municipality	141	45.2%	64	77	3B	1
Chignik Lagoon	Census Designated Place	65	56.6%	37	28	3B	1
Chignik Lake	Census Designated Place	154	91.8%	141	13	3B	1
Cold Bay	Municipality	107	5.4%	6	101	3B	1
False Pass	Municipality	73	76.5%	56	17	3B	1
Ivanof Bay	Census Designated Place	28	94.3%	26	2	3B	1
King Cove	Municipality	716	39.3%	281	435	3B	1
Nelson Lagoon	Census Designated Place	88	80.7%	71	17	3B	1
Perryville	Census Designated Place	104	94.4%	98	6	3B	1
Sand Point	Municipality	844	49.3%	416	428	3B	1
District 3B Communities		2,320	51.6%	1,196	1,124		
Districts 4A-D							
Adak	Census Designated Place	220	65.0%	143	77	4B	3
Akutan	Municipality	436	13.6%	59	377	4A	1
Atka	Municipality	77	92.9%	71	6	4B	1
Gambell	Municipality	628	96.2%	604	24	4D	1
Nikolski	Census Designated Place	27	82.9%	22	5	4A	1
Savoonga	Municipality	604	95.2%	575	29	4D	1
St. George	Municipality	151	94.9%	143	8	4C	1
St. Paul	Municipality	767	66.1%	507	260	4C	1
Unalaska	Municipality	4,083	8.4%	342	3,741	4A	1
Districts 4A-D Communities		6,993	35.3%	2,467	4,526		

**Table 5.4 (Revised). Alaska Rural Places in Areas with Subsistence Halibut Uses**

Sources: Alaska Department of Fish and Game; Alaska Department of Labor

		Population	Percent Alaska	Number Alaska	Number Non-	Halibut	Use Pattern
Rural Place*	Organized Entity	(1995)	Native	Natives	Natives	Coastal	1 = regular 2 = periodic 3 = undocumented
District 4E							
Chefornak	Municipality	371	97.5%	362	9	4E	1
Mekoryak	Municipality	212	99.4%	211	1	4E	1
Newtok	Census Designated Place	275	93.2%	256	19	4E	1
Nightmute	Municipality	189	95.4%	180	9	4E	1
Toksook Bay	Municipality	485	95.5%	463	22	4E	1
Tununak	Census Designated Place	354	96.2%	341	13	4E	1
Wales	Municipality	173	88.9%	154	19	4E	1
Aleknagik	Municipality	182	83.2%	151	31	4E	2
Clark's Point	Municipality	63	88.3%	56	7	4E	2
Dillingham	Municipality	2,243	55.8%	1,252	991	4E	2
Egegik	Municipality	143	70.5%	101	42	4E	2
King Salmon	Census Designated Place	539	15.5%	84	455	4E	2
Kipnuk	Census Designated Place	544	97.5%	530	14	4E	2
Kongiganak	Census Designated Place	336	97.3%	327	9	4E	2
Levelock	Census Designated Place	116	82.9%	96	20	4E	2
Manokotak	Municipality	402	95.6%	384	18	4E	2
Naknek	Census Designated Place	617	41.0%	253	364	4E	2
Nome	Municipality	3,576	52.1%	1,863	1,713	4E	2
Pilot Point	Municipality	74	84.9%	63	11	4E	2
Port Heiden	Municipality	126	72.3%	91	35	4E	2
South Naknek	Census Designated Place	146	79.4%	116	30	4E	2
Alakanuk	Municipality	604	95.8%	579	25	4E	3
Bethel	Municipality	5,195	63.9%	3,319	1,876	4E	3
Brevig Mission	Municipality	265	92.4%	245	20	4E	3
Chevak	Municipality	682	92.9%	634	48	4E	3
Council	Census Designated Place	8	62.5%	5	3	4E	3
Diomed (Inalik)	Municipality	154	93.8%	144	10	4E	3
Eek	Municipality	283	95.7%	271	12	4E	3
Elim	Municipality	281	91.7%	258	23	4E	3
Emmonak	Municipality	762	92.1%	702	60	4E	3
Golovin	Municipality	148	92.9%	137	11	4E	3
Goodnews Bay	Municipality	253	95.9%	243	10	4E	3
Hooper Bay	Municipality	996	95.9%	955	41	4E	3
Kotlik	Municipality	543	96.9%	526	17	4E	3
Koyuk	Municipality	258	94.8%	245	13	4E	3
Kwigillingok	Census Designated Place	326	95.0%	310	16	4E	3
Napakiak	Municipality	326	94.3%	308	18	4E	3
Napaskiak	Municipality	404	94.8%	383	21	4E	3
Oscarville	Census Designated Place	42	91.2%	38	4	4E	3
Platinum	Municipality	44	92.2%	41	3	4E	3
Quinhagak	Municipality	549	93.8%	515	34	4E	3
Scammon Bay	Municipality	434	96.5%	419	15	4E	3
Shaktoolik	Municipality	199	94.4%	188	11	4E	3
Sheldon Point	Municipality	131	92.7%	121	10	4E	3
Shishmaref	Municipality	537	94.5%	507	30	4E	3
Solomon	Census Designated Place	6	100.0%	6	0	4E	3
St. Michael	Municipality	332	91.2%	303	29	4E	3
Stebbins	Municipality	475	94.8%	450	25	4E	3
Teller	Municipality	274	91.3%	250	24	4E	3
Togiak	Municipality	700	87.3%	611	89	4E	3
Tuntutuliak	Census Designated Place	340	96.7%	329	11	4E	3
Twin Hills	Census Designated Place	75	92.4%	69	6	4E	3
Ugashik	Census Designated Place	5	85.7%	4	1	4E	3
Unalakleet	Municipality	764	81.8%	625	139	4E	3
White Mountain	Municipality	209	87.8%	184	25	4E	3
District 4E Communities		27,770	76.9%	21,256	6,514		
Total Districts		83,082	43.7%	36,307	46,775		

\* Places where subsistence (wild food harvest and use) is a principal characteristic of the community's economy and way of life, as determined by the Alaska Joint Board of Fisheries and Game